

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WILLIAM E. POWELL,

Plaintiff,

CASE NO. 2:15-CV-11033

JUDGE PAUL D. BORMAN

MAGISTRATE JUDGE ANTHONY P. PATTI

v.

INTERNAL REVENUE SERVICE,

Defendant.

**ORDER DENYING WITHOUT PREJUDICE PLAINTIFF'S JULY 21, 2015
MOTION TO COMPEL PREPARATION OF A VAUGHN INDEX (DE 24)**

Plaintiff filed the instant lawsuit *pro se* on March 19, 2015. (DE 1.) He is proceeding *in forma pauperis*. (See DEs 2, 5 & 13.) Plaintiff's first amended complaint concerns FOIA requests sent on December 4, 2014, February 26, 2015, March 2, 2015 and April 10, 2015. (DE 9-1 at 2-8.)

This case has been referred to me for all pretrial matters. (See DEs 26, 29.) Currently before the Court is Plaintiff's July 21, 2015 motion to compel preparation of a *Vaughn* index, regarding which the IRS has filed a response. (DEs 24, 25.) A hearing was originally noticed for August 26, 2015 (DE 27), but it was renoticed for September 3, 2015. On the date set for hearing, Plaintiff Powell and IRS attorney Joseph Edward Hunsader appeared.

Having read the motion papers and heard the parties' oral argument, and consistent with my statements from the bench, Plaintiff's July 21, 2015 motion to compel preparation of a *Vaughn* index (DE 24) is DENIED WITHOUT PREJUDICE. Plaintiff may renew his motion for a *Vaughn* index during dispositive motion practice but is directed to seek concurrence in accordance with E.D. Mich. LR 7.1(a) and to abide by my online motion practice guidelines before refiling any such motion.

IT IS SO ORDERED.

Dated: September 8, 2015

s/Anthony P. Patti

Anthony P. Patti

UNITED STATES MAGISTRATE JUDGE

I hereby certify that a copy of the foregoing document was sent to parties of record on September 8, 2015, electronically and/or by U.S. Mail.

s/Michael Williams

Case Manager for the

Honorable Anthony P. Patti